

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed Emergency After Notice

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services amends Chapter 65, “Food Assistance Program Administration,” Iowa Administrative Code.

Iowa’s Food Assistance employment and training program rules currently mandate participation by certain categories of Food Assistance recipients and provide for penalties for failure to participate as prescribed by federal regulations. The employment and training program is a federal program operated by states under the umbrella of the federal Supplemental Nutrition Assistance Program.

Federal regulations provide an option for an all-volunteer employment and training program. These amendments implement that option. States are required to submit an annual employment and training state plan to the USDA Food and Nutrition Service for approval before implementing the volunteer program. Upon plan approval and negotiation of administrative contracts, notice of program availability will be mailed to Food Assistance recipients with instructions to request services through the Iowa Workforce Development Department or a participating community college.

A volunteer program will help Food Assistance recipients who truly want help to become employed and those who need more education or vocational training to compete in the current job market and become employed. Volunteers are also likely to be more successful participants than those who simply participate to avoid being disqualified from the Food Assistance program. This change will allow the program to focus on Food Assistance recipients who can most benefit and will make the best use of the limited funding that is available to provide services.

These amendments do not provide for waivers in specified situations because the amendments remove restrictions on participation and Food Assistance eligibility. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on February 24, 2010, as **ARC 8535B**. The Department received no comments on the Notice of Intended Action. These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on April 14, 2010.

The Department finds that these amendments confer a benefit on Food Assistance recipients by making employment and training options available to more people and removing participation requirements. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)“b”(2), and the normal effective date of these amendments is waived.

These amendments are intended to implement Iowa Code section 234.12 and 2009 Iowa Acts, chapter 182, section 6.

These amendments became effective on April 15, 2010.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [65.28(6) to 65.28(14)] is being omitted. These amendments are identical to those published under Notice as **ARC 8535B**, IAB 2/24/10.

[Filed Emergency After Notice 4/14/10, effective 4/15/10]

[Published 5/5/10]

[For replacement pages for IAC, see IAC Supplement 5/5/10.]